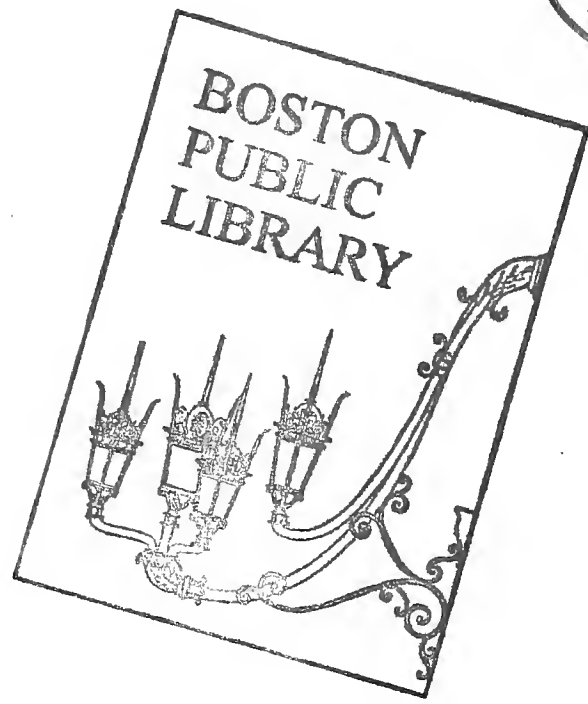


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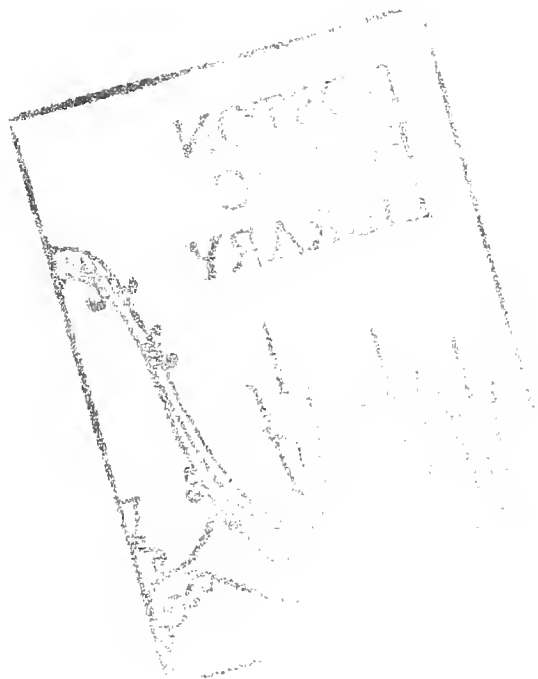


HARBOR STUDY

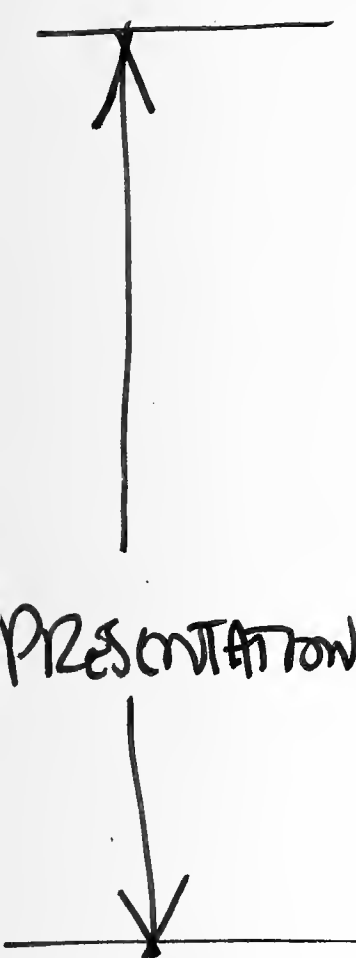
BRIEF ON PROPOSED LEGISLATION

1 Boston R. Boardment A. Hart

APRIL, 1970



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CITY OF BOSTON HARBOR STUDY:
PRELIMINARY CONCLUSIONS

During the last nine months, the BRA staff has been conducting studies of the Boston Harbor. These studies have included both review of work by others and the preparation of new reports and analyses, and will culminate in a comprehensive harbor plan. The studies are now complete to the point where certain conclusions can be drawn:

1. The harbor islands should be devoted to recreation, conservation, and related uses, with the inner islands devoted to recreation and recreation-oriented activities which will meet the needs of the people of the City of Boston. Such activities would include day camps, picnic areas, and marinas and could serve the needs of the State as a whole, and the metropolitan area as well as the city.
2. Land on the harbor shoreline can alleviate the city's need for water-oriented commercial, housing and industrial sites, thus allowing the islands to be devoted to recreation and "conservation" uses.
3. What is popularly referred to as "conservation" is, in the case of the harbor islands, actually the "restoration" or "creation" of natural areas as most of the islands are in deplorable condition. It is not enough to just "buy and hold" these islands. It will require major expenditures of time and money to create conservation areas on them.
4. In its present fiscal condition, the City of Boston cannot, without outside help, fund the proper utilization of the harbor islands.

*See mostly
 then proposed to put islands into a land bank
 buy them & not provide for their use - do little when
 had buy them that's a delaying tactic*

THE CITY OF BOSTON'S OBJECTIONS
TO THE PRESENT HARBOR ISLAND BILLS



The position of the city in regard to this year's and last year's Harbor Island Bills has been misunderstood. The city concurs with the intent of the bills, but feels that it is being treated unfairly in certain respects:

1. The city will pay over 50% of the cost of acquiring the islands.
2. The city will give up all control over the development of the islands.
3. The city will have no voice in planning the types of recreation activities to take place on the islands. The city sees no evidence that a State agency like the D.N.R. is better equipped to plan the future of the islands.
4. The Bills make no provision for ending the pollution that is preventing the full use of the recreational potential of the Harbor.

The BRA does not seek to obstruct or postpone the development of the islands for conservation and recreation, but rather it seeks to make available its experience with large scale projects, to assure **that a** workable plan for such development is achieved.

WHAT DO WE EXPECT IN A BILL?

Lied

3.

The City would expect any bill for the conservation and development of Boston Harbor to include the following points:

1. The scope of the Bill must cover the whole harbor. The major problem areas in the harbor such as the airport and the inner harbor must be included if the Bill is to be effective.
2. The Bill must lead to abatement of water pollution. *Have power mostly bill does not call for cleaning up harbor. Bill to sum that new developer not add to pollution add*
3. The Bill must recognize the City's interests in and rights over the development of land within its jurisdiction.
4. The Bill must not place a burden on the City's tax revenues. *MOC type bond \$3.5 m. City pays 62% also special fund*
5. The Bill must provide for high intensity recreation facilities to serve the residents of the city's neighborhoods. *marina, public beach picnic - open water islands large*
6. Provision for access to the islands must be made. *ferry's & bridge*
7. To ensure that the islands do not lie vacant, an adequate mechanism for funding these improvements must be included in the Bill.

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SUMMARY:BOSTON HARBOR CONSERVATION AND DEVELOPMENT ACT

(Bill to create agency for development of all of the harbor islands and areas of the mainland in Boston .)

In Sum: Creates Boston Harbor Conservation and Development Corp., corporate agency to acquire the harbor islands and to develop and construct facilities in specified "Harbor Lands" area for:

1. recreation in the "outer harbor lands" (All but four islands);
2. intensive recreation and limited residential development, including access by ferry or bridge, on Thompson, Long and Spectacle Islands, part of the "inner harbor lands";
3. general powers to construct and develop industrial, commercial and residential facilities in specified non-residential areas of shoreline, including Charlestown Navy Yard; Boston army base areas south of Fort Point Channel and north of Reserve Channel, vacant land on Columbia Point, etc.

Purpose: Create prototype development agency capable of developing, constructing and financing facilities for recreation on islands; jobs and housing on shore; with concern for entire harbor including pollution, recreation; representing Boston and other municipalities.

Powers: A. Acquisition, development, financing:

1. Acquire privately held islands and begin recreation development under Commonwealth bond issue.
2. Issue bonds of corporation for more intensive recreational development, marinas, ferry access, etc.
3. Issue bonds for development and construction of industrial, commercial and residential facilities. Bond issues up to stated amount under numbers 2 and 3 to be backed by full faith of Commonwealth.

B. Pollution abatement, ecology:

1. Duty to survey pollution in harbor, including noise levels, to recommend general pollution program for harbor, to bring action to abate nuisance caused by pollution, to control own projects, and to cooperate with all agencies in projects to reduce pollution, including share of costs.
2. Ecology. Power to approve all fill and other shoreline alteration in harbor, including area of Logan airport.

Limits On
Powers:

1. Outer Islands limited to recreational development; inner islands to recreation and limited residential (low-rise, low-density).
2. Review board from surrounding communities for all recreation plans and development.
3. Corporation restricted to "Harbor Lands" only. These are named in the bill or designated by the Mayor and Council.

Membership:

Nine members, four or five chosen by the Mayor, the rest by the Governor.

Subsidiary corporation for city development, controlled by parent corporation, rest of members of subsidiary appointed by Mayor.

NOTE: This Bill could be modified into two bills, as shown in Sections 6 and 7.

POLICY CONTROL

The bill sets up a Boston Harbor Conservation and Development Corporation, with jurisdiction over the whole Harbor. Its subsidiary, the Inner Harbor Development Corporation, has jurisdiction limited to certain areas of the City of Boston.

The membership of the parent corporation is broad enough to represent the diverse interests of the whole harbor. Of nine directors, the Mayor of Boston will appoint five including the Chairman, and the Governor will appoint four directors and the Chief Executive of the Corporation.

The subsidiary corporation must reflect the interests of both the wider harbor community and the City of Boston. Of seven directors, four shall be designated by the parent corporation; and three directors shall be appointed by the Mayor.

Both corporations will appoint community advisory committees to make recommendations on the development of projects. One of these will be a Recreation and Conservation Committee consisting of fifteen members as follows: one representing the D.N.R.; the Mayor of Boston; the Mayor of Quincy; the Chief Executives of Weymouth, Hingham, Hull and Winthrop. The remaining members will be appointed by the Governor and the Mayor of Boston from candidates recommended by conservation and recreation groups concerned with the Harbor. This committee will have advisory and veto powers over any development project located on any island in the harbor. A two-thirds vote of the Corporation is required to override such a veto.

URBAN DEVELOPMENT

This bill links the recreation and conservation development with urban development on vacant and deteriorating inner harbor areas. A subsidiary corporation, the Boston Inner Harbor Conservation and Development Corporation, is created by the bill to be responsible for stimulating this urban development. This corporation has wide-ranging powers to acquire and clear sites, and to build, rehabilitate, and manage projects on sites within the city selected by the Mayor and approved by the City Council.

The primary thrust of the Corporation's responsibilities will be towards economic and industrial development. Its aim will be to provide sites to retain and enlarge Boston's dwindling manufacturing employment base. However, it will also be empowered to undertake commercial, residential, and civic development.

The Corporation is designed to supplement rather than replace the development activities of the private sector. It combines the land assembly powers and tax-exemption privileges of a public body with the financial capabilities of a private corporation. It is authorized to finance its development operations with up to \$ million dollars of bonds. These bonds will be serviced entirely from the Corporation's revenues from its development operations. The State's credit is involved only to the extent of guaranteeing the annual interest and principal payments on these bonds.

This corporation, which is based in part upon Legislation passed in New Jersey, New York, and California, is seen as a prototype Urban Development Corporation in Massachusetts. Similar corporations can be set up in other cities throughout the Commonwealth on the pattern of this model.

RECREATION DEVELOPMENT AND CONSERVATION

The bill, in order to assure that the recreation potential of the Islands is realized - provides for a Corporation with the powers and the financial means to:

1. Acquire the Harbor Islands (taking the privately owned islands by eminent domain - if necessary).
2. Prepare a comprehensive plan and program for recreation throughout the Harbor.
3. Following legislative approval of this recreation plan, to develop recreation areas and facilities on the Harbor Islands and shorelines including beaches, parks, playgrounds, picnic areas, marinas, paths and associated facilities.
4. In providing these facilities, to concentrate intensive recreation uses for the benefit of residents of the urban core on the inner islands (Thompson, Long, Spectacle and Deer Island).
5. Reserve the remaining islands for less intensive recreation and conservation uses, retaining and enhancing their natural and undeveloped qualities.
6. Make these islands accessible. The Corporation is authorized to manage, contract for, or subsidize an inexpensive and convenient ferry service to the islands
7. To contract with State and Federal agencies for funds to develop recreation areas and provide recreation services.
8. Manage and maintain these recreation facilities. It can use its revenues from its mainland development operations to do so.

POLLUTION CONTROL AND ABATEMENT

A major concern of virtually all the groups and individuals appearing at the hearing on the Harbor Islands Bills before the Natural Resources Committee was pollution abatement. It was stated time after time that the beaches and water should be cleaned up. The M.I.T. Harbor Islands Group Report prepared for the Harbor Islands Commission states that "parts of the inner harbor are grossly polluted and water in other areas is so marginal that it threatens beach closing and restricts shell-fishing."

Yet the present Harbor Islands Bills do not mention this pollution, or provide for its abatement. The Boston Harbor Conservation Development Bill states that "such pollution restricts the present and future benefit of the harbor for the people of the Commonwealth for recreational and other uses" and states that pollution abatement "is necessary to ensure preservation and reclamation of the harbor as a natural resource for the present and future residents of the Commonwealth."

The corporation created by the BHCD bill is specifically instructed to address itself to this problem.

Camp, Dresser & McKee in their \$225,000 study of the Boston main drainage system recommended an immediate initial program of \$38 million and an ultimate program of \$550 million to remove what they termed "the significant hazards to health" present in the Harbor. Because of its present fiscal condition, the City of Boston cannot, without outside help, fund this entire program. Nor is the problem really Boston's own creation. As with many of the City's other problems, the present generation of Bostonians is accidentally heir to an inadequate system from which many individuals and firms have fled.

WHY LINK THE INNER HARBOR DEVELOPMENT WITH THE ISLANDS ?

For four reasons , the Inner Harbor must be included in any constructive program for the harbor as a whole:

1. Pollution The Inner Harbor is a major source of pollution . The recreational use of the Outer Harbor waters will require inner harbor anti-pollution programs including the demolition of derelict wharfs and the replacement of substandard sewerage and storm water facilities .
2. Access The harbor is cut off from the life of the city and the region by substandard and vacant land around the Inner Harbor Waterfront . The City of Boston is making major financial investments in several waterfront projects , but is financially unable to move at a more rapid pace yet . These areas must be renewed and people must be brought into them if the Harbor is again to become a functioning part of the metropolis .
3. Need for Development Many important developments are happening around the Inner Harbor . Military installations such as the Charlestown Navy Yard are due to close down with the possible cost of many jobs to the City's employment rolls . At the same time , massive investments are being made in commercial , residential and institutional construction . There is a growing need to coordinate these developments and to consolidate these investments with the renewal of other substandard waterfront areas . Above all , this activity must be handled by an agency aware of its responsibility to the whole harbor .
4. Paying for Recreation-Conservation The acquisition of the islands is not enough to provide the region with the recreation-conservation resource it needs in the Harbor . Heavy costs will be involved in landscaping , sanding beaches , preparing recreation and marina facilities , abating water pollution , and providing ferry access . The development of the Inner Harbor will be needed to underwrite these costs .

PRECEDENTS FOR BOSTON HARBOR ISLANDS CONSERVATION AND DEVELOPMENT ACT

I. N.Y. URBAN DEVELOPMENT CORPORATION

Agency: State corporate agency for statewide land, housing, industrial development.

Powers: Housing and industrial development and construction. Eminent domain. Power to develop, construct and manage its own projects, to sell, lease projects at any stage, to contract for specific projects.

Financing: Tax exempt revenue bonds up to one billion issued by New York State Housing Finance Agency. Low interest, almost same as for bonds backed by full faith of State, achieved by creating reserve funds in the Corporation, amounting to one year's principal and interest and by New York State Legislature guarantee to make up the difference if reserve fund under this amount.

Subsidiaries
Public Can create subsidiaries with majority of directors from parent Corporation, others representing municipalities, etc., to conduct specific projects. Purpose to farm out work, increase local participation while offering financial and administrative backing of parent agency.

Private
Non-
Profit: New York Urban Development Research Corporation, a private non-profit corporation with same directors as N.Y.U.D.C., purpose to receive Federal and State funds available to private housing. Many of powers of parent corporation, including issuing revenue bonds.

2. N.J. MEADOWLANDS COMMISSION

Agency: State agency to develop 21,000 acre marsh flats near N.Y.C. for housing, industry.

Powers: Housing and industrial development and construction, including acting as urban renewal agency. Eminent domain. To develop and construct its own projects, but spelled out in less detail than in N.Y. Act.

Financing: Tax exempt revenue bonds, issued by agency itself, based solely on return from projects as in N.Y. Urban Corporation, but with no State Reserve fund. As an urban renewal agency, can use methods of financing in that program.

Subsidiaries No provision.

3. SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

Agency: State agency empowered to protect the shoreline and ecology of San Francisco Bay.

Powers: 1. To issue or deny permits for any proposed project on the Bay Shore that involves placing fill, extracting materials or making any substantial change in use of water land or structure in designated areas of the shore.

2. To make continuing studies of the Harbor area.

Financing: State appropriations

MODIFIED BILL 1:BOSTON HARBOR ISLANDS CONSERVATION AND DEVELOPMENT ACT

In Sum: Creates Boston Harbor Conservation and Development Corporation, a corporate agency to acquire the harbor islands with powers to undertake recreation and conservation policies for:

1. Recreation in the "outer harbor islands" (all but four islands);
2. Intensive recreation and limited residential development, including access by ferry or bridge, on Thompson, Long, Spectacle and Deer Islands.

Purpose: To create development agency capable of developing and financing facilities for recreation on islands, intensive recreation and limited low-rise residential development in inner islands, with duties for entire harbor, including planning and pollution, abatement pollution, power to preserve ecology of harbor and to prevent fill of shoreline. Representation on agency or review board for all of municipalities in harbor area.

Powers:

- A. Acquisition, development, financing
 1. Acquire privately held islands and begin recreation development under Commonwealth bond issue.
 2. Issue bonds of corporation for more intensive recreational development, marinas, ferry access, etc.
- B. Pollution abatement; ecology
 1. Duty to survey pollution in harbor and to recommend general abatement program; power to bring action to abate nuisances caused by pollution, to control own projects and to cooperate with other agencies to reduce pollution.
 2. Ecology. Power to approve all fill and other shoreline alteration in harbor, including area of airport.

Limits On Powers:

1. Recreation. Outer islands, recreation only. Inner islands recreation and low-rise housing limited to specified acreage.
2. Recreation review board from surrounding communities for all recreational plans and development.

MODIFIED BILL II:BOSTON URBAN DEVELOPMENT CORPORATION ACT

In Sum: Bill to create prototype corporate agency for industrial, commercial and residential development, including construction on designated lands in City of Boston.

- Purpose:
1. To create prototype agency for city capable of assembling and reclaiming land facilities and housing (low and moderate income) and selling such facilities at earliest possible time to private enterprise.
 2. Creates working partnership of public initiative and private enterprise to assemble land and increase employment opportunities as primary purpose, to work with Federal and State and City agencies by using Federal subsidies and State and City planning and other powers, including power to issue tax exempt revenue bonds.
 3. Supplements the limited powers of the Boston Redevelopment Agency and the Economic Development and Industrial Commission in its ability to fully develop and construct facilities and to sell such facilities for an adequate return.
 4. A prototype for urban development corporations in other cities of the Commonwealth, particularly in its power to take action to create economic opportunities and housing, and the guarantee by the State of the corporation's bonds up to a fixed amount.

- Powers:
1. Authority can be exercised only within designated land areas, preferably vacant or non-residential, as specified either in the Bill or by the Mayor and Council..
 2. Acquire, develop land and improvements for industrial, commercial and residential projects.
 3. Sell or lease land or facilities to private or public interests.
 4. Issue revenue bonds, with such bonds backed by full faith of Commonwealth, up to a fixed sum.
 5. Contract with public or private agencies to share in development.

Member-ship Seven members, five appointed by the Mayor, two by the Governor.

